



North Carolina Department of Health and Human Services  
Division of Health Service Regulation

Pat McCrory  
Governor

Richard O. Brajer  
Secretary DHHS

Mark Payne, Director  
Health Service Regulation

**MEMORANDUM**

**DATE:** November 14, 2016  
**TO:** Rules Review Commission  
**FROM:** Mark Payne, Agency Head  
**RE:** Request for Change to Accidental Misclassification for 10A NCAC 14F .1901

The Agency has completed the periodic review of rules for Subchapter 10A NCAC 14F, Certification of Cardiac Rehabilitation Programs. The Agency initially classified Rule .1901 as "Necessary Without Substantive Public Interest." However, based on a comment attributed to this rule, the Agency reclassified it as "Necessary With Substantive Public Interest."

Upon further review following submission of the final report to the Rules Review Commission, the Agency determined that the comment mistakenly cited Rule .1901. More specifically, Rule .1901 addresses the emergency plan that must be established and the comment addressed emergency drills which are addressed in the content of Rule .1903.

We request the Rules Review Commission change the mistaken misclassification of Rule .1901 from "Necessary With Substantive Public Interest" to "Necessary Without Substantive Public Interest." The Agency plans to submit a proposed amendment of Rule .1903 for a Notice of Text responsive to the comment about emergency drills following the effective date of the final determination report.

cc: Azzie Conley, Chief, Acute and Home Care Licensure and Certification  
Clarence Ervin, Assistant Chief, Acute and Home Care Licensure and Certification  
Emery Milliken, Deputy Director, DHSR  
Joel Johnson, Assistant General Counsel, DHHS



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